

108TH CONGRESS
1ST SESSION

H. R. 2210

To reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2003

Mr. CASTLE (for himself, Mr. BOEHNER, Mr. REGULA, Mr. WILSON of South Carolina, Mr. CUNNINGHAM, Mr. MURPHY, Mr. ISAKSON, Mr. McKEON, and Mr. BROWN of South Carolina) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “School Readiness Act
5 of 2003”.

1 **TITLE I—HEAD START REAU-**
2 **THORIZATION AND PROGRAM**
3 **IMPROVEMENTS**

4 **SEC. 101. PURPOSE.**

5 Section 636 of the Head Start Act (42 U.S.C. 9831)
6 is amended to read as follows:

7 **“SEC. 636. STATEMENT OF PURPOSE.**

8 “It is the purpose of this subchapter to promote
9 school readiness by enhancing the development of low-in-
10 come children, including through educational instruction
11 in prereading skills, premathematics skills, and language,
12 and through the provision to low-income children and their
13 families of health, educational, nutritional, social and
14 other services that are determined, based on family needs
15 assessments, to be necessary.”.

16 **SEC. 102. DEFINITIONS.**

17 Section 637 of the Head Start Act (42 U.S.C. 9832)
18 is amended as follows:

19 (1) In paragraph (17) by striking “, but for fis-
20 cal year” and all that follows down to the period.

21 (2) By adding the following at the end thereof:

22 “(18) The term ‘eligible entities’ means an in-
23 stitution of higher education or other agency with
24 expertise in delivering training in early childhood de-
25 velopment, family support, and other assistance de-

1 signed to improve the delivery of Head Start serv-
2 ices.”.

3 **SEC. 103. AUTHORIZATION.**

4 Section 639 of the Head Start Act (42 U.S.C. 9834)
5 is amended to read as follows:

6 **“SEC. 639. AUTHORIZATION OF APPROPRIATIONS.**

7 “(a) IN GENERAL.—There are authorized to be ap-
8 propriated for carrying out the provisions of this sub-
9 chapter \$6,870,000,000 for the fiscal year 2004 and such
10 sums as may be necessary for fiscal years 2005 through
11 2008.

12 “(b) SPECIFIC PROGRAMS.—From the amount ap-
13 propriated under subsection (a), the Secretary shall make
14 available—

15 “(1) not more than \$7,000,000 for each of fis-
16 cal years 2004 through 2008 to carry out impact
17 studies under section 649(g); and

18 “(2) not more than \$13,000,000 for fiscal year
19 2004, and such sums as may be necessary for each
20 of fiscal years 2005 through 2008, to carry out
21 other research, demonstration, and evaluation activi-
22 ties, including longitudinal studies, under section
23 649.

24 “(c) ADMINISTRATIVE EXPENSES.—There are au-
25 thorized to be appropriated \$5,000,000 for each of fiscal

1 years 2004 through 2008 to assist participating States
 2 with the administrative expenses associated with imple-
 3 menting a program under section 643A.”.

4 **SEC. 104. ALLOTMENT OF FUNDS; LIMITATIONS ON ASSIST-**
 5 **ANCE.**

6 Section 640 of the Head Start Act (42 U.S.C. 9835)
 7 is amended as follows:

8 (1) By striking clauses (ii) and (iii) of sub-
 9 section (a)(2)(B).

10 (2) By striking the last sentence of paragraph
 11 (2).

12 (3) By amending subsection (a)(2)(C) to read
 13 as follows:

14 “(C) training and technical assistance ac-
 15 tivities that are sufficient to meet the needs as-
 16 sociated with program expansion and to foster
 17 program and management improvement activi-
 18 ties as described in section 648 of this title, in
 19 an amount for each fiscal year which is not less
 20 than one percent, and shall not exceed 2 per-
 21 cent, of the amount appropriated for such fiscal
 22 year, of which—

23 “(i) not less than 50 percent shall be
 24 made available to local Head Start agen-
 25 cies to comply with the performance stand-

ards described in section 641A(a)(1), of which not less than 50 percent shall be used to comply with the performance standards described in section 641A(a)(1)(B) and for the uses described in subparagraph (a)(3)(B)(iii), (a)(3)(B)(iv), and (a)(3)(B)(vii);

“(ii) not less than 30 percent shall be made available to support a State system of early childhood education training and technical assistance;

“(iii) not less than 20 percent shall be made available to the Secretary to assist local programs to meet the performance standards described in 641A(a)(1); and

“(iv) not less than \$3,000,000 of the amount in clause (iii) appropriated for such fiscal year shall be made available to carry out activities described in section 648(d)(4);”.

(4) In subsection (a)(3)(A)(i)(I) by striking “1999” and all that follows down to the semicolon and inserting “2004 through 2008”.

(5) In subsection (a)(3)(B)(i) by striking “(a)(1)(A)” and inserting “(a)(1)”.

1 (6) In subsection (a)(3)(B)(ii) by striking “staff
2 are” and inserting “staff is”.

3 (7) In subsection (a)(3)(C) by redesignating
4 clause (vi) as clause (vii) and inserting the following
5 new clause after clause (v):

6 “(vi) To conduct outreach to homeless families
7 in an effort to increase the program participation of
8 eligible homeless children.”.

9 (8) In subsection (a)(5)(B)—

10 (A) by striking “may” and inserting
11 “shall”; and

12 (B) by inserting “early childhood edu-
13 cation” after “regarding”.

14 (9) In subsection (a)(5)(C)—

15 (A) by striking “A State” and inserting
16 “In order to improve results for children, a
17 State”;

18 (B) by striking clauses (i), (ii), and (iii)
19 and inserting:

20 “(i) appoint an individual to serve as
21 the State collaborator between—

22 “(I) the appropriate regional of-
23 fice of the Administration for Children
24 and Families;

1 “(II) the State educational agen-
2 cy;

3 “(III) the State Department of
4 Health and Human Services;

5 “(IV) the State agency that over-
6 sees child care;

7 “(V) the State agency that over-
8 sees children with developmental dis-
9 abilities;

10 “(VI) the State Head Start Asso-
11 ciation;

12 “(VII) the State network of child
13 care resource and referral agencies;

14 “(VIII) local educational agen-
15 cies;

16 “(IX) community-based and
17 faith-based organizations;

18 “(X) State migrant and seasonal
19 Head Start associations;

20 “(XI) State Indian Head Start
21 associations;

22 “(XII) State and local providers
23 of early childhood education and child
24 care; and

1 “(XIII) other entities carrying
2 out programs serving low-income chil-
3 dren and families in the State.”.

4 “(ii) ensure that the State collabo-
5 rator holds a position with sufficient au-
6 thority and access to ensure that the col-
7 laboration described in subparagraph (B)
8 is effective and involves a range of State
9 agencies;

10 “(iii) involve the entities described in
11 section 640(a)(5)(C)(i) to develop a stra-
12 tegic plan for the coordinated outreach to
13 identify eligible children and implementa-
14 tion strategies based on a needs assess-
15 ment conducted by the Office of the State
16 Collaborator;”;

17 (C) by amending clause (v) to read as fol-
18 lows:

19 “(v) consult with the chief State
20 school officer, local educational agencies,
21 and representatives of local Head Start
22 agencies in unified planning regarding
23 early care and education services at both
24 the State and local levels, including col-

1 laborative efforts to develop school readi-
2 ness standards;”; and

3 (D) by inserting the following new clause
4 after clause (v) and redesignating clause (vi) as
5 (vii):

6 “(vi) consult with the chief State
7 school officer, local educational agencies,
8 State child care administrators, State
9 human services administrators, representa-
10 tives of local resource and referral agen-
11 cies, local early childhood councils, and
12 other relevant state and local agencies, and
13 representatives of the State Head Start
14 Associations to plan for the provision of
15 full-working-day, full calendar year early
16 care and education services for children;
17 and”.

18 (10) By amending clause (i) of subsection
19 (a)(5)(D) by inserting “and providers of services
20 supporting early childhood education and child care”
21 after “Associations”.

22 (11) By striking subsection (a)(6)(B).

23 (12) By inserting the following before the pe-
24 riod at the end of section 640(f): “including models
25 that leverage the existing capacity and capabilities of

1 the delivery system of early childhood education and
2 child care”.

3 (13) By inserting the following after “manner
4 that will” in section 640(g)(2)(G): “leverage the ex-
5 isting delivery systems of such services and”.

6 **SEC. 105. DESIGNATION OF AGENCIES.**

7 Section 641 of the Head Start Act (42 U.S.C. 9836)
8 is amended as follows:

9 (1) In subsection (a) by inserting after “com-
10 munity” in the first place it appears “any commu-
11 nity-based or faith-based organization” and by in-
12 serting “(1)” after “(a)” and by adding the fol-
13 lowing at the end thereof:

14 “(2) In order to be designated as a Head Start agen-
15 cy and to receive a grant under this subchapter, a grantee
16 shall establish grantee-determined goals for improving the
17 school readiness of children participating in a program
18 under this subchapter, which shall include goals for—

19 “(A) educational instruction in prereading,
20 premathematical, and language skills; and

21 “(B) the provision of health, educational,
22 nutritional, social, and other services.

23 “(3) In order to receive a grant subsequent to the
24 initial grant provided following the date of enactment of

1 this subchapter, the grantee shall demonstrate that it has
2 met the goals described in (2).”

3 (2) In subsection (c)(1) by striking “unless”
4 through “fails to meet” and inserting “that fulfills
5 the”.

6 (3) By striking paragraph (2) of subsection (c).

7 (4) In subsection (d):

8 (A) By inserting the following new para-
9 graphs after paragraph (1):

10 “(2) the capacity of such applicant to serve eli-
11 gible children with scientifically-based programs that
12 promote school readiness of children participating in
13 the program;

14 “(3) the plan of such applicant to meet stand-
15 ards set forth in section 641A(a)(1), with particular
16 attention to the standards set forth in section
17 641A(a)(1)(B)(ii);”.

18 (B) By striking paragraph (3) and redesign-
19 ating paragraph (2) as paragraph (4) and in
20 such paragraph (4), by striking “to aid partici-
21 pating children in attaining their full potential”
22 and inserting “prepare children to succeed in
23 school”.

24 (C) By inserting the following after para-
25 graph (4) and redesignating existing para-

1 graphs (4) through (10) as paragraphs (7)
2 through (13):

3 “(5) the plan of such applicant to coordinate
4 the Head Start program it proposes to carry out
5 with other preschool programs, including Early
6 Reading First and Even Start programs under title
7 I, part B, subparts 1 and 2 of the Elementary and
8 Secondary Education Act of 1965; other preschool
9 programs carried out under title I of the Act; pro-
10 grams under part C and section 619 of the Individ-
11 uals with Disabilities Education Act; State pre-
12 kindergarten programs; and with the educational
13 programs such children will enter at the age of com-
14 pulsory school attendance;

15 “(6) the plan of such applicant to coordinate
16 the Head Start program it proposes to carry out
17 with private entities with resources available to as-
18 sist the Head Start Program meet its program
19 needs;”.

20 **SEC. 106. QUALITY STANDARDS; MONITORING OF HEAD**
21 **START AGENCIES AND PROGRAMS.**

22 Section 641A of the Head Start Act (42 U.S.C.
23 9836a)) is amended as follows:

24 (1) In subsection (a)(1)(B) by amending clause
25 (ii) to read as follows:

1 “(ii) additional education standards to
2 ensure that the children participating in
3 the program, at a minimum develop and
4 demonstrate—

5 “(I) language skills;

6 “(II) prereading knowledge and
7 skills, including interest in and appre-
8 ciation of books, reading and writing
9 either alone or with others;

10 “(III) premathematics knowledge
11 and skills;

12 “(IV) cognitive abilities related to
13 academic achievement;

14 “(V) social development impor-
15 tant for environments constructive for
16 child development, early learning, and
17 school success; and

18 “(VI) in the case of limited-
19 English proficient children, progress
20 toward acquisition of the English lan-
21 guage.”.

22 (2) In subsection (a)(2)(A) by amending the
23 parenthetical language to read as follows “(including
24 appropriate services to limited-English proficient
25 children and their families)”.

1 (3) In subsection (a)(2)(B)—

2 (A) in clause (i) by striking “on the date
3 of enactment of this section” and inserting “on
4 October 27, 1998”;

5 (B) in clause (ii) by striking “since the
6 date of enactment of this section” and inserting
7 “since October 27, 1998,”; and

8 (C) by striking “and” at the end of clause
9 (vi) and adding the following at the end thereof:

10 “(viii) the unique challenges faced by
11 individual programs, including those that
12 are seasonal or short term, and those that
13 serve rural populations; and”.

14 (4) In subsection (a)(2)(C)(ii) by striking all
15 that follows “in effect on” down to the period and
16 inserting “October 27, 1998”.

17 (5) In subsection (b)(2):

18 (A) In subparagraph (B) by striking “not
19 later than July 1, 1999; and” and inserting a
20 semicolon.

21 (B) By striking the period at the end of
22 subparagraph (C) and inserting “; and”.

23 (C) By adding the following new subpara-
24 graph at the end thereof:

1 “(D) be appropriate for the population
2 served; and

3 “(E) be reviewed no less than every 5
4 years, based on advances in the science of early
5 childhood development.”.

6 (D) In the language following new sub-
7 paragraph (E) by striking “subsection
8 (a)(1)(ii)” and inserting “subsection (a)(1)(A)
9 and (B)”.

10 (6) In subsection (b) by amending paragraph
11 (4) to read as follows:

12 “(4) EDUCATIONAL MEASURES.—Results based
13 measures shall be designed for the purpose of pro-
14 moting the competencies of children participating in
15 Head Start programs specified in subsection
16 (a)(1)(B)(ii), with an emphasis on measuring those
17 competencies that have a strong scientifically-based
18 predictability of a child’s school readiness and later
19 performance in school.”.

20 (7) In subsection (c)(2):

21 (A) By striking subparagraphs (A) and
22 (B).

23 (B) In subparagraph (C) by striking “(in-
24 cluding linguistic and cultural)” and inserting

1 “and limited-English proficient children” after
2 “disabilities”.

3 (C) At the end of subparagraph (D) by
4 striking “and”.

5 (D) At the end of subparagraph (E) by
6 striking the period and inserting a semicolon
7 and the following new subparagraphs:

8 “(F) include as part of the reviews of the
9 programs, a review and assessment of whether
10 a program is in conformity with the income eli-
11 gibility requirements, as defined in section 645
12 and regulations promulgated thereunder; and

13 “(G) seek information from the commu-
14 nities where Head Start programs exist about
15 innovative or effective collaborative efforts, bar-
16 riers to collaboration, and the efforts of the
17 Head Start agencies and programs to collabo-
18 rate with the entities carrying out early child-
19 hood education and child care programs in the
20 community.”.

21 **SEC. 107. POWERS AND FUNCTIONS OF HEAD START AGEN-**
22 **CIES.**

23 Section 642 of the Head Start Act (42 U.S.C.
24 9837(b) is amended as follows:

1 (1) By redesignating paragraphs (1) through
2 (4) of subsection (b) as (3) through (6) and by in-
3 serting the following new paragraphs after “shall
4 also—”:

5 “(1) establish a program with standards set
6 forth in section 641A(a)(1), with particular atten-
7 tion to the standards set forth in section
8 641A(a)(1)(B);

9 “(2) demonstrate capacity to serve eligible chil-
10 dren with scientifically-based curricula and other
11 interventions that help ensure the school readiness
12 of children participating in the program;”.

13 (2) By inserting the following new paragraph
14 after redesignated paragraph (6) of subsection (b)
15 and by redesignating existing paragraphs (5)
16 through (11) of subsection (b) as (8) through (14):

17 “(7) conduct outreach to schools in which Head
18 Start children enroll, local educational agencies, the
19 local business community, community-based organi-
20 zations, faith-based organizations, museums, and li-
21 braries to generate support and leverage the re-
22 sources of the entire local community in order to im-
23 prove school readiness;”.

24 (3) In subsection (d) by inserting the following
25 new paragraph after paragraph (1) and redesign-

1 nating paragraphs (2) through (5) as (3) through
 2 (6):

3 “(2) In communities where both public prekindergarten
 4 garten programs and Head Start programs operate, a
 5 Head Start agency shall coordinate with the local educational
 6 agency or other public agency responsible for the
 7 operation of the prekindergarten program, including for
 8 outreach to identify eligible children.”.

9 **SEC. 108. HEAD START ALIGNMENT WITH K-12 EDUCATION.**

10 The heading for section 642A of the Head Start Act
 11 (42 U.S.C. 9837a) is amended to read as follows:

12 **“SEC. 642A. HEAD START ALIGNMENT WITH K-12 EDUCATION.”.**
 13

14 **SEC. 109. ELIGIBILITY.**

15 Section 645(a) of the Head Start Act (42 U.S.C.
 16 9843) is amended by adding the following new paragraph
 17 at the end thereof:

18 “(3) The amount of a basic allowance provided under
 19 section 403 of title 37, United States Code, on behalf of
 20 an individual who is a member of the uniformed services
 21 for housing that is acquired or constructed under the authority
 22 of subchapter IV of chapter 169 of title 10, United
 23 States Code, or any other related provision of law, shall
 24 not be considered to be income for purposes of deter-

1 mining the eligibility of a child of the individual for pro-
 2 grams assisted under this subchapter.”.

3 **SEC. 110. INFANTS AND TODDLERS.**

4 Section 645A of the Head Start Act (42 U.S.C.
 5 9643) is amended in subsection (b)(1) by striking “phys-
 6 ical, emotional, and intellectual development” and insert-
 7 ing “learning, health, and development”.

8 **SEC. 111. TECHNICAL ASSISTANCE AND TRAINING.**

9 Section 648 of the Head Start Act (42 U.S.C. 9843)
 10 is amended as follows:

11 (1) By inserting the following new subsection
 12 after subsection (a) and redesignating subsections
 13 (b) through (e) as (c) through (f):

14 “(b) The Secretary shall make available the money
 15 reserved in section 640(a)(2)(C)(ii) to support a State-
 16 based system delivering training and technical assistance
 17 that improves the capacity of Head Start programs within
 18 a State to deliver services in accordance with the Head
 19 Start performance standards in section 641A(a)(1), with
 20 particular attention to the education standards in section
 21 641A(a)(1)(B). The Secretary shall—

22 “(1) ensure eligible entities within a State are
 23 chosen by the Secretary through a competitive bid
 24 process;

1 “(2) ensure that existing agencies with dem-
2 onstrated expertise in providing high quality training
3 and technical assistance to improve the delivery of
4 Head Start services, including the State Head Start
5 Association, State agencies, and other entities cur-
6 rently providing training and technical assistance in
7 early education, be included in the planning and co-
8 ordination of the State system of training and tech-
9 nical assistance; and

10 “(3) encourage States to supplement the funds
11 authorized in section 640(a)(2)(C)(ii) with State,
12 Federal, or local funds other than Head Start funds,
13 to expand activities beyond Head Start agencies to
14 include other providers of other early childhood serv-
15 ices within a State.”.

16 (2) By inserting the following at the end there-
17 of:

18 “(g) For purposes of this section, the term ‘eligible
19 entities’ means an institution of higher education or other
20 entity with expertise in delivering training in early child-
21 hood development, family support, and other assistance
22 designed to improve the delivery of Head Start services.”.

23 **SEC. 112. STAFF QUALIFICATIONS AND DEVELOPMENT.**

24 Section 648A of the Head Start Act (42 U.S.C.
25 9843a) is amended as follows:

1 (1) In subparagraph (C) of subsection (a)(1) by
2 striking “and emotional” and inserting “to ensure
3 school readiness” after “children”.

4 (2) In subparagraph (A) of subsection (a)(2) by
5 striking “2003” and inserting “2008” and by strik-
6 ing “an associate,” and inserting “a” in clauses (i)
7 and (ii).

8 (3) By adding the following at the end of sub-
9 section (a)(2):

10 “(C) REQUIREMENT FOR NEW HEAD
11 START TEACHERS.—Within 3 years after the
12 date of enactment of this clause, the Secretary
13 shall require that all Head Start teachers na-
14 tionwide in center-based programs hired fol-
15 lowing the date of enactment of this
16 subparagraph—

17 “(i) have an associate, baccalaureate,
18 or advanced degree in early childhood edu-
19 cation;

20 “(ii) have an associate, baccalaureate,
21 or advanced degree in a field related to
22 early childhood education, with experience
23 in teaching preschool children; or

24 “(iii) be currently enrolled in a pro-
25 gram of study leading to an associate de-

“(D) SERVICE REQUIREMENTS.—The Secretary shall establish requirements to ensure that individuals who receive financial assistance under this Act in order to comply with the requirements under section 648A(a)(2) shall subsequently teach in a Head Start center for a period of time equivalent to the period for which they received assistance or repay the amount of the funds.”.

13 (4) By adding the following at the end thereof:

“(f) PROFESSIONAL DEVELOPMENT PLANS.—Every Head Start agency and program shall create, in consultation with an employee, a professional development plan for all full-time employees who provide direct services to children.”.

19 SEC. 113. RESEARCH, DEMONSTRATIONS, AND EVALUA-
20 TION.

21 Section 649 of the Head Start Act (42 U.S.C. 9844)
22 is amended as follows:

23 (1) By striking subsection (b).

(2) In subsection (c)(1)(C) by striking “multi-cultural nature” and inserting “range”.

1 (3) By striking paragraph (9) of subsection (d).

2 (4) In subsection (d)(10)(B) by striking “socio-
3 emotional”.

4 (5) By striking clause (i) of subsection
5 (g)(1)(A) and redesignating clauses (ii) and (iii) as
6 clauses (i) and (ii).

7 (6) In subsection (g)(5)(A)(i) by striking “the
8 social competence of children, by increasing”.

9 (7) By amending subsection (g)(5)(A)(ii)(I) to
10 read as follows:

11 “(I) enhance the learning, health, and
12 development of children;”.

13 (8) In subsection (g)(7)(C)(i) by striking
14 “1999” and inserting “2003”, striking “2001” and
15 inserting “2005”, and striking “2003” and inserting
16 “2006”.

17 **SEC. 114. CONFORMING AMENDMENTS.**

18 Sections 640(a)(6)(B)(iii)(I), 648A(g)(7)(C)(ii), and
19 650(a) of the Head Start Act are each amended by strik-
20 ing “Labor and Human Resources” and inserting
21 “Health, Education, Labor, and Pensions”.

22 **SEC. 115. EFFECTIVE DATE.**

23 The amendments made by this Act shall be effective
24 with respect to fiscal years beginning on and after October
25 1, 2003.

TITLE II—STATE DEMONSTRATION PROGRAM

SEC. 201. STATE DEMONSTRATION PROGRAM.

The Head Start Act is amended by inserting after section 643 the following new section:

“SEC. 643A. STATE DEMONSTRATION PROGRAM.

“(a) GRANTS.—

“(1) IN GENERAL.—In the case of each eligible State that submits to the Secretary an application that fulfills the requirements of this section, the Secretary, from amounts appropriated under section 639(a), shall make a grant to the State to carry out a State demonstration program under this section.

“(2) STATE ELIGIBILITY.—A State shall be eligible to participate in the program under this section if it meets each of the following criteria:

“(A) The State has an existing State supported system providing early childhood education services to children prior to entry into kindergarten.

“(B) The State has existing standards for school readiness that are aligned with State kindergarten through twelfth grade academic content standards or provides an assurance that

1 such standards will be aligned by the end of the
2 second fiscal year of participation.

3 “(C) The State has established qualifica-
4 tions for early childhood educators.

5 “(D) The State has established a means
6 for inter-agency coordination and collaboration
7 in the development of the plan under (h).

8 “(b) LEAD AGENCY.—A program under this section
9 shall be administered by a State governmental entity des-
10 ignated by the Chief Executive Officer of the State as the
11 lead State agency.

12 “(c) STATE OPERATION OF PROGRAM.—The State
13 may conduct all or any part of the program under this
14 section (including the activities specified in subsection (g))
15 directly or by grant, contract, or cooperative agreement.

16 “(d) TRANSITION.—

17 “(1) IN GENERAL.—A local grantee that was
18 receiving funds under the Head Start Act of 1965,
19 as that Act was in effect prior to the date of enact-
20 ment of this section, and is serving the geographic
21 area covered by the plan in section 643A(h) shall
22 continue to receive funds from the State, in accord-
23 ance with the terms of that award for at least 12
24 months after a State receives approval to participate
25 in a program under this section, provided that the

1 applicant has not experienced substantial uncor-
2 rected deficiencies on Department of Health and
3 Human Services monitoring reports during any year
4 of the most recent 5-year period.

5 “(2) AFTER TRANSITION.—Following the end of
6 the transition, States are strongly encouraged to
7 continue utilizing current service providers that have
8 demonstrated the ability to provide high quality
9 Head Start services consistent with State guidelines
10 for school preparedness for children entering kinder-
11 garten.

12 “(e) FEDERAL FINANCIAL ASSISTANCE.—

13 “(1) ALLOCATION OF FEDERAL ALLOTMENTS
14 TO STATE PROGRAMS.—From each total amount de-
15 scribed in paragraph (2) allotted to a State for a fis-
16 cal year, the Secretary shall pay to a State with a
17 program approved under this section for such fiscal
18 year an amount equal to—

19 “(A) if the State program is statewide,
20 100 percent of such total amount; and

21 “(B) if the State program is limited to a
22 geographic area or areas, the sum of—

23 “(i) an amount equal to the amount
24 received by grantees in such geographic
25 area or areas for the Federal fiscal year

1 preceding the first fiscal year of the State
2 program under this section; plus

3 “(ii) an amount bearing the same
4 ratio to the excess (if any) above the total
5 amount for such preceding fiscal year as
6 the number of children less than 5 years of
7 age from families whose income is below
8 the poverty line in the geographic area or
9 areas included in the program bears to the
10 total number of such children in the State
11 (as determined using the same data used
12 pursuant to section 640(a)(4)(B)).

13 “(2) FUNDS ALLOCATED.—For purposes of
14 paragraph (1), amounts described in this paragraph
15 are:

16 “(A) BASIC STATE ALLOTMENTS.—
17 Amounts allotted to States pursuant to section
18 640(a)(4), including amounts reserved pursuant
19 to section 640(a)(5).

20 “(B) STATE ALLOTMENTS OF EXPANSION
21 FUNDS.—Amounts allotted to States pursuant
22 to section 640(a)(3)(D)(i)(I) for program ex-
23 pansion.

1 “(C) QUALITY IMPROVEMENT FUNDS.—
2 Quality improvement funds (if any) reserved
3 pursuant to section 640(a)(3).

4 “(D) TRAINING AND TECHNICAL ASSIST-
5 ANCE FUNDS.—An amount bearing the same
6 ratio to the amount set aside for training and
7 technical assistance activities pursuant to sec-
8 tion 640(a)(2)(C)(i) and (ii) as the State’s
9 share of amounts allotted under section
10 640(a)(4)(B) bears to the total amount so allot-
11 ted (and for purposes of subparagraph (A),
12 such amount shall be considered an amount al-
13 lotted to the State for the fiscal year).

14 “(3) NON-FEDERAL MATCH.—Financial assist-
15 ance made available to a State for programs carried
16 out under this section shall not exceed 95 percent of
17 the total amount expended for such programs. Non-
18 Federal contributions may be made in cash or in
19 kind, fairly evaluated, including plant, equipment, or
20 services. The Secretary may not require non-Federal
21 contributions in excess of 5 percent of the total
22 amount expended for such programs. In determining
23 the amount of Federal and non-Federal contribu-
24 tions for purposes of this section, the amounts re-
25 quired to be expended by the State under subsection

1 (g)(1)(M)(iii)(relating to maintenance of effort) shall
2 be excluded.

3 “(4) COMBINED OPERATIONS WITH OTHER
4 EARLY CHILDHOOD EDUCATION PROGRAMS.—A
5 State may combine funds for a program under this
6 section with funds for other early childhood pro-
7 grams serving children in the same age group, as
8 long as all applicable requirements of this sub-
9 chapter are met with respect to either—

10 “(A) the entire combined program; or

11 “(B) each child served in such combined
12 program for whom the services provided are
13 funded from appropriations under this sub-
14 chapter or non-Federal matching contributions
15 under this subchapter.

16 “(5) USE OF FUNDS WITHOUT REGARD TO AL-
17 LOTMENT PURPOSES.—A State may use funds re-
18 ceived pursuant to this section for any program pur-
19 pose set forth in section 636, without regard to the
20 purposes for such funds specified in section 640.

21 “(6) OTHER FUNDS.—Funds received under
22 this section shall not supplant non-Federal funds
23 that would otherwise be used for activities author-
24 ized under this section.

25 “(f) COORDINATION AND CHOICE.—

1 “(1) IN GENERAL.—A State demonstration
2 Program shall be coordinated with the education
3 programs of local educational agencies in the State
4 to ensure that the program is effectively designed to
5 develop in children in the program the knowledge
6 and behaviors necessary to transition successfully to
7 kindergarten and to succeed in school.

8 “(2) PROGRAMS CONCERNED.—

9 “(A) REQUIRED PROGRAMS.—Such coordi-
10 nation shall occur regarding the implementation
11 of the following:

12 “(i) The Early Reading First and
13 Even Start programs under title I, part B,
14 subparts 2 and 3 of the Elementary and
15 Secondary Education Act of 1965, and
16 other preschool programs carried out
17 under title I of that Act.

18 “(ii) State prekindergarten programs.

19 “(iii) The Ready-to-Learn Television
20 Program under subpart 3 of Part D of
21 title II of the Elementary and Secondary
22 Education Act.

23 “(B) OPTIONAL PROGRAMS.—Such coordi-
24 nation may occur regarding the implementation
25 of the following:

1 “(i) Programs under the Child Care
2 and Development Block Grant Act.

3 “(ii) Other publicly funded early child-
4 hood education programs.

5 “(3) PARENTAL CHOICE.—The program shall
6 allow parents to choose the preschool program for
7 their child.

8 “(g) REQUIRED SERVICES.—With funds under this
9 section, the State shall provide services described in sec-
10 tion 641A (and, if applicable, services described in section
11 645A) at least as extensive as were provided, and to at
12 least as many children and families in each fiscal year as
13 were provided such services, with such funds in the base
14 year in the State (or, if applicable, in the geographic area
15 included in the State program). A program under this sec-
16 tion shall include the following comprehensive activities
17 designed to promote school readiness and success in
18 school:

19 “(1) CHILD DEVELOPMENT AND EDUCATION.—
20 Activities with enrolled children that promote—

21 “(A) cognitive development, language de-
22 velopment, prereading, and premathematics
23 knowledge and skills;

24 “(B) physical development, health, and nu-
25 trition (including through coordination with),

1 and referral of children and families to local
2 health service entities; and

3 “(C) social development important for en-
4 vironments constructive for child development,
5 early learning, and school success.

6 “(2) PARENT EDUCATION AND INVOLVE-
7 MENT.—Activities with the parents of enrolled chil-
8 dren directed at enhancing and encouraging—

9 “(A) involvement in, and ability to sup-
10 port, their children’s educational development,

11 “(B) parenting skills and understanding of
12 child development, and

13 “(C) ability to participate effectively in de-
14 cisions relating to the education of their chil-
15 dren.

16 “(3) SOCIAL AND FAMILY SUPPORT SERV-
17 ICES.—Activities directed at securing appropriate so-
18 cial and family support services for enrolled children
19 and their families, primarily through referral and co-
20 ordination with local, State, and Federal entities
21 that provide such services.

22 “(4) HEAD START SERVICES.—For purposes of
23 paragraph (1):

1 “(A) Head Start services furnished in a
2 State program under this section shall include
3 all Head Start services, other than—

4 “(i) Indian Head Start programs and
5 migrant and seasonal Head Start pro-
6 grams supported with funds reserved
7 under section 640(a)(2)(A); and

8 “(ii) Early Head Start services, except
9 as provided in subparagraph (B); and

10 “(B) Services furnished may, at State op-
11 tion, include Early Head Start services, either
12 Statewide or in selected geographic areas of the
13 State. In the case of a State that elects to ad-
14 minister an Early Head Start program under
15 this section, the State shall provide a program
16 of family-centered services for low-income in-
17 fants, toddlers and pregnant women, meeting
18 the requirements of section 645A, designed to
19 promote the development of the children, and to
20 enable their parents to fulfill their roles as par-
21 ents and to move toward self-sufficiency.

22 “(h) STATE PLAN.—A State proposing to administer
23 a program under this section shall submit a State plan
24 to the Secretary. The State plan shall include the fol-
25 lowing:

1 “(1) LEAD STATE AGENCY.—The plan shall
2 identify the entity designated by the Chief Executive
3 Officer of the State as the lead State agency.

4 “(2) GEOGRAPHIC AREA.—The plan shall speci-
5 fy whether the program is statewide, and, if it is
6 not, identify the geographic area or areas covered by
7 the plan. A geographic area may be a city, county,
8 standard metropolitan statistical area, or such other
9 geographic area in the State.

10 “(3) PROGRAM PERIOD.—The plan shall specify
11 the period during which the program will be in ef-
12 fect.

13 “(A) IN GENERAL.—A State program
14 under this section shall be in effect for a period
15 of at least three and not more than 5 Federal
16 fiscal years.

17 “(B) EXTENSION.—A State that has ad-
18 ministered a program in accordance with the
19 requirements of this section—

20 “(i) shall be allowed to extend such
21 program through fiscal year 2008, upon
22 submission to the Secretary, of a proposed
23 plan meeting the requirements for ap-
24 proval; and

1 “(ii) shall notify the Secretary, at
2 least one year before the end of the current
3 plan period, whether the State intends to
4 extend the program.

5 “(4) PROGRAM DESCRIPTION.—The plan shall
6 describe the services under subsection (f) to be pro-
7 vided in the program and arrangements the State
8 proposes to use to provide the services specified in
9 subsection (f).

10 “(5) NEEDS ASSESSMENT.—The plan shall pro-
11 vide an assurance that the State has identified the
12 needs for services within a State or geographic area
13 to be served and is targeting services to those areas
14 of greatest need.

15 “(6) ASSURANCE OF COMPLIANCE.—The plan
16 shall provide an assurance that the State program
17 will comply with the requirements of this section, in-
18 cluding each of the following:

19 “(A) PRIORITY FOR LOW-INCOME CHIL-
20 DREN.—Requirements established pursuant to
21 section 645(a) concerning the eligibility and pri-
22 ority of individuals for participation in Head
23 Start programs.

24 “(B) CONTINUATION FOR EXISTING PRO-
25 VIDERS.—An applicant who received funds

1 under this subchapter in prior fiscal years and
2 has not corrected any substantial deficiencies
3 identified in the past 5 years shall not be eligi-
4 ble to receive any grants, contract, or coopera-
5 tive agreements under this section.

6 “(C) PARTICIPATION OF CHILDREN WITH
7 DISABILITIES.—Requirements pursuant to sec-
8 tion 640(d) concerning Head Start enrollment
9 opportunities and services for children with dis-
10 abilities.

11 “(D) PROVISIONS CONCERNING FEES AND
12 COPAYMENTS.—The provisions of section
13 645(b) concerning the charging of fees and the
14 circumstances under which copayments are per-
15 missible.

16 “(E) FEDERAL SHARE; STATE AND LOCAL
17 MATCHING.—The provisions of section 640(b)
18 limiting Federal financial assistance for Head
19 Start programs, and providing for non-Federal
20 contributions.

21 “(F) ADMINISTRATIVE COSTS.—The provi-
22 sions of section 644(b) limiting the share of
23 program funds that may be used for developing
24 and administering a program.

1 “(G) FEDERAL PROPERTY INTEREST.—
2 Applicable provisions of this subchapter regard-
3 ing the Federal Government interest in prop-
4 erty (including real property) purchased, leased,
5 or renovated with Federal funds.

6 “(7) IDENTIFICATION OF BARRIERS.—The plan
7 shall identify barriers in the State to the effective
8 use of Federal, State, and local public funds, and
9 private funds, for early education and care that are
10 available to the State on the date on which the ap-
11 plication is submitted.

12 “(8) STATE GUIDELINES FOR SCHOOL READI-
13 NESS.—The plan shall include—

14 “(A) a State definition of school readiness;

15 “(B) a description of the State’s general
16 goals for school readiness, including how the
17 State intends to—

18 “(i) promote and maintain ongoing
19 communication and collaboration between
20 providers of early care and education and
21 local educational agencies in the State;

22 “(ii) align early childhood and kinder-
23 garten curricula to ensure program con-
24 tinuity; and

1 “(iii) ensure that children successfully
2 transition to kindergarten.

3 “(9) PROFESSIONAL DEVELOPMENT.—The plan
4 shall provide a description of the State plan for as-
5 suring the ongoing professional development of early
6 childhood educators and administrators including
7 how the State intends to—

8 “(A) improve the competencies of early
9 childhood educators in meeting the cognitive
10 and other developmental needs of young chil-
11 dren through effective instructional strategies,
12 methods, and skills;

13 “(B) develop and implement initiatives to
14 effectively recruit and promote the retention of
15 early childhood educators;

16 “(C) encourage institutions of higher edu-
17 cation, providers of community-based training,
18 and other qualified providers to develop high-
19 quality programs to prepare students to be
20 early childhood education professionals; and

21 “(D) improve the quality of professional
22 development available to meet the needs of
23 teachers that serve preschool children.

24 “(10) QUALITY ASSURANCE.—

1 “(A) To assure the quality of early child-
2 hood services provided to preschool age children
3 the plan shall—

4 “(i) describe State early childhood
5 teacher credentials and qualifications;

6 “(ii) assure that the program has in
7 place scientifically-based curricula;

8 “(iii) describe student-teacher ratio
9 for each age group served;

10 “(iv) assure the program has in place
11 services to promote cognitive development,
12 language, prereading, and premathematical
13 knowledge and skills; and

14 “(v) assure that the program has in
15 place services to promote the health, safe-
16 ty, nutrition, and other developmental
17 needs of preschool age children.

18 “(B) The State plan shall provide an ex-
19 planation for any of the above that do not con-
20 form to requirements under this subchapter.

21 “(11) STATE ACCOUNTABILITY SYSTEM.—

22 “(A) IN GENERAL.—The State plan
23 shall—

24 “(i) ensure that individual providers
25 are achieving results in advancing the

1 knowledge and behaviors identified by the
2 State as prerequisites for effective kinder-
3 garten performance; and

4 “(ii) specify the measures the State
5 will use to evaluate the progress toward
6 achieving such results and the effectiveness
7 of the State program under this section,
8 and of individual providers in such pro-
9 gram.

10 “(B) PUBLICATION OF RESULTS.—

11 “(i) IN GENERAL.—Subject to clause
12 (ii), the results shall be made publicly
13 available in the communities served by the
14 program.

15 “(ii) CONFIDENTIALITY SAFE-
16 GUARDS.—The system shall have in effect
17 privacy safeguards ensuring that informa-
18 tion on children included in data and re-
19 sults made public in accordance with
20 clause (i) shall be in aggregated form, and
21 shall not include information allowing iden-
22 tification of individual children.

23 “(12) TRANSITION PLAN.—The initial State
24 plan shall make provision for transition from the di-

1 rect Federal program under section 640 to the dem-
2 onstration program.

3 “(13) COOPERATION WITH RESEARCH STUD-
4 IES.—The plan shall provide assurances that the
5 State will cooperate with research activities de-
6 scribed in section 649.

7 “(14) MAINTENANCE OF EFFORT.—The State
8 plan shall—

9 “(A) contain a commitment to provide
10 data, at such times and in such format as the
11 Secretary requires, concerning non-Federal ex-
12 penditures and numbers of children and fami-
13 lies served in preschool and Head Start pro-
14 grams during the base year and each fiscal year
15 covered under the State plan, sufficient to sat-
16 isfy the Secretary that the State program will
17 meet its obligation with respect to the mainte-
18 nance of effort requirement under subpara-
19 graph (B); and

20 “(B) assure that the resources (which may
21 be cash or in-kind) contributed by the State
22 government to child care for preschool-aged
23 children and other preschool programs, includ-
24 ing Head Start, in the State (or, if applicable,
25 in the geographic area included in the State

1 program) for each fiscal year in which the pro-
2 gram under this section is in effect shall be in
3 an amount at least equal to the total amount
4 of such State governmental resources contrib-
5 uted to support such programs in the State (or
6 geographic area) for the base year.

7 “(i) RECORDS, REPORTS AND AUDITS.—The State
8 agency administering the State program, and each entity
9 participating as a Head Start service provider, shall main-
10 tain such records, make such reports, and cooperate with
11 such audits as the Secretary may require for oversight of
12 program activities and expenditures.

13 “(j) INAPPLICABILITY OF PROVISIONS CONCERNING
14 PRIORITY IN AGENCY DESIGNATION.—The provisions of
15 subsections (c) and (d) of section 641 (concerning priority
16 in designation of Head Start agencies, successor agencies,
17 and delegate agencies) shall not apply to a State program
18 under this section.

19 “(k) CONSULTATION.—A State proposing to admin-
20 ister a program under this section shall submit, with the
21 plan under this section, assurances that the plan was de-
22 veloped through timely and meaningful consultation with
23 appropriate public and private sector entities, including—

1 “(1) representatives of agencies responsible for
2 administering early education and care programs in
3 the State, including Head Start providers;

4 “(2) parents;

5 “(3) the State educational agency and local
6 educational agencies;

7 “(4) early childhood education professionals;

8 “(5) kindergarten teachers and teachers in
9 grades 1 through 4;

10 “(6) child welfare agencies;

11 “(7) child care resource and referral agencies;

12 “(8) child care providers; and

13 “(9) a wide array of persons interested in and
14 involved with early care and early education issues
15 in the State, such as representatives of—

16 “(A) health care professionals;

17 “(B) the State agency with responsibility
18 for the special supplemental nutrition program
19 for women, infants, and children established by
20 section 17 of the Child Nutrition Act of 1966;

21 “(C) institutions of higher education;

22 “(D) community-based and faith-based or-
23 ganizations;

24 “(E) the business community;

25 “(F) State legislators and local officials;

1 “(G) museums and libraries;

2 “(H) other relevant entities in the State;

3 and

4 “(I) other agencies that provide resources
5 for young children.

6 “(l) STATE PLAN SUBMISSION.—An application shall
7 be submitted by a State pursuant to this section to the
8 Secretary, in consultation with the Secretary of Edu-
9 cation, and shall be deemed to be approved by the Sec-
10 retary unless the Secretary makes a written determina-
11 tion, prior to the expiration of a reasonable time beginning
12 on the date on which the Secretary received the applica-
13 tion, that the application is not in compliance with this
14 section.

15 “(m) FEDERAL OVERSIGHT AUTHORITY; CORREC-
16 TIVE ACTION; WITHDRAWAL OF APPROVAL.—

17 “(1) FEDERAL OVERSIGHT.—The Secretary
18 shall retain the authority to oversee the operation of
19 the State program under this section, including
20 through review of records and reports, audits, and
21 onsite inspection of records and facilities and moni-
22 toring of program activities and operations.

23 “(2) CORRECTION OF DEFICIENCIES.—If the
24 Secretary determines that a State program under
25 this section substantially fails to meet the require-

1 ments of this section, the Secretary shall notify the
2 State of the deficiencies identified and require cor-
3 rective action as follows:

4 “(A) DEFICIENCIES CAUSING IMMEDIATE
5 JEOPARDY.—The Secretary shall require imme-
6 diate corrective action to eliminate a deficiency
7 that the Secretary finds threatens the health or
8 safety of staff or program participants or poses
9 a threat to the integrity of Federal funds.

10 “(B) OTHER DEFICIENCIES.—The Sec-
11 retary, taking into consideration the nature and
12 magnitude of a deficiency not described in sub-
13 paragraph (A), and the time reasonably re-
14 quired for correction, may—

15 “(i) require the State to correct the
16 deficiency within 90 days after notification
17 under this paragraph; or

18 “(ii) require the State to implement a
19 quality improvement plan designed to cor-
20 rect the deficiency within one year from
21 identification of the deficiency.

22 “(3) WITHDRAWAL OF APPROVAL.—If the defi-
23 ciencies identified under paragraph (2) are not cor-
24 rected by the deadlines established by the Secretary,

1 the Secretary shall initiate proceedings to withdraw
2 approval of the State program under this section.

3 “(4) PROCEDURAL RIGHTS.—A State subject to
4 adverse action under this subsection shall have the
5 same procedural rights as a Head Start agency sub-
6 ject to adverse action under section 641A.

7 “(n) EVALUATION.—(1) The Secretary shall appoint
8 an independent advisory committee to design, oversee, and
9 compile findings from an evaluation of the state dem-
10 onstration program—

11 “(2) The evaluation shall include—

12 “(A) data on the characteristics of preschool
13 age children served;

14 “(B) an assessment of the quality and charac-
15 teristics of the services provided;

16 “(C) the rate of progress of the State in im-
17 proving the school readiness of disadvantaged chil-
18 dren in the key domains of development; and

19 “(D) an assessment of the impact of the pro-
20 grams supported under this section on the access
21 and quality of early childhood education systems.

22 “(o) DEFINITION.—For purposes of this section, the
23 term ‘base year’ means the most recent Federal fiscal year
24 preceding the first fiscal year of the State program under

- 1 this section for which adequate and reliable data are avail-
- 2 able, as determined by the Secretary.”.

